

SB1665



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

SB1665

Introduced 2/20/2015, by Sen. Christine Radogno

SYNOPSIS AS INTRODUCED:

210 ILCS 45/1-113

from Ch. 111 1/2, par. 4151-113

Amends the Nursing Home Care Act. Provides that the definition of "facility" does not include a medical foster home, as defined by federal regulation, that is under the oversight of the Illinois Department of Veterans' Affairs. Effective immediately.

LRB099 02766 RPS 22774 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Nursing Home Care Act is amended by changing
5 Section 1-113 as follows:

6 (210 ILCS 45/1-113) (from Ch. 111 1/2, par. 4151-113)

7 Sec. 1-113. "Facility" or "long-term care facility" means a
8 private home, institution, building, residence, or any other
9 place, whether operated for profit or not, or a county home for
10 the infirm and chronically ill operated pursuant to Division
11 5-21 or 5-22 of the Counties Code, or any similar institution
12 operated by a political subdivision of the State of Illinois,
13 which provides, through its ownership or management, personal
14 care, sheltered care or nursing for 3 or more persons, not
15 related to the applicant or owner by blood or marriage. It
16 includes skilled nursing facilities and intermediate care
17 facilities as those terms are defined in Title XVIII and Title
18 XIX of the Federal Social Security Act. It also includes homes,
19 institutions, or other places operated by or under the
20 authority of the Illinois Department of Veterans' Affairs, but
21 not medical foster homes, as defined in 38 CFR 17.73, that are
22 under the oversight of the Illinois Department of Veterans'
23 Affairs.

1 "Facility" does not include the following:

2 (1) A home, institution, or other place operated by the
3 federal government or agency thereof, or by the State of
4 Illinois ~~(r~~other than homes, institutions, or other places
5 operated by or under the authority of the Illinois
6 Department of Veterans' Affairs, except as otherwise
7 provided in this Section);

8 (2) A hospital, sanitarium, or other institution whose
9 principal activity or business is the diagnosis, care, and
10 treatment of human illness through the maintenance and
11 operation as organized facilities therefor, which is
12 required to be licensed under the Hospital Licensing Act;

13 (3) Any "facility for child care" as defined in the
14 Child Care Act of 1969;

15 (4) Any "Community Living Facility" as defined in the
16 Community Living Facilities Licensing Act;

17 (5) Any "community residential alternative" as defined
18 in the Community Residential Alternatives Licensing Act;

19 (6) Any nursing home or sanatorium operated solely by
20 and for persons who rely exclusively upon treatment by
21 spiritual means through prayer, in accordance with the
22 creed or tenets of any well-recognized church or religious
23 denomination. However, such nursing home or sanatorium
24 shall comply with all local laws and rules relating to
25 sanitation and safety;

26 (7) Any facility licensed by the Department of Human

1 Services as a community-integrated living arrangement as
2 defined in the Community-Integrated Living Arrangements
3 Licensure and Certification Act;

4 (8) Any "Supportive Residence" licensed under the
5 Supportive Residences Licensing Act;

6 (9) Any "supportive living facility" in good standing
7 with the program established under Section 5-5.01a of the
8 Illinois Public Aid Code, except only for purposes of the
9 employment of persons in accordance with Section 3-206.01;

10 (10) Any assisted living or shared housing
11 establishment licensed under the Assisted Living and
12 Shared Housing Act, except only for purposes of the
13 employment of persons in accordance with Section 3-206.01;

14 (11) An Alzheimer's disease management center
15 alternative health care model licensed under the
16 Alternative Health Care Delivery Act;

17 (12) A facility licensed under the ID/DD Community Care
18 Act; or

19 (13) A facility licensed under the Specialized Mental
20 Health Rehabilitation Act of 2013.

21 (Source: P.A. 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-813,
22 eff. 7-13-12; 98-104, eff. 7-22-13.)

23 Section 99. Effective date. This Act takes effect upon
24 becoming law.